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2                   IN THE UNITED STATES DISTRICT COURT  
3                   FOR THE NORTHERN DISTRICT OF CALIFORNIA  
4

5 ZYLKA,

No. C 12-01589 SI

6                   Plaintiff,

**ORDER OF DISMISSAL UPON  
SETTLEMENT**

7 v.

8 DISCOVER BANK ET AL,

9                   Defendant.  
10    /

11                  The parties to the action, by their counsel, have advised the court that they have agreed  
12 to a settlement.

13                  IT IS HEREBY ORDERED that this matter is DISMISSED WITH PREJUDICE. However, that  
14 if any party hereto certifies to this court, with proof of service of a copy thereon on opposing counsel,  
15 within ninety days from the date hereof, that settlement has not in fact occurred, the foregoing order  
16 shall be vacated and this cause shall forthwith be restored to the calendar for further proceedings.

17  
18 Dated: 1/23/13

*Susan Illston*  
19                  \_\_\_\_\_  
SUSAN ILLSTON  
20                  United States District Judge  
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